

REMARKS/ARGUMENTS

Reconsideration of this application is respectfully requested in view of the foregoing amendments and discussion presented herein.

1. **Objection to Specification.**

The Specification was objected to for not including the U.S. Patent Number for application serial number 09/754,240. The patent number has been inserted into the Specification.

2. **Amendment of independent Claim 87.**

Claims 87-89, 91-93, and 95-97 were rejected under 35 U.S.C. § 102(b) as being anticipated by Hamilton (WO 94/07688).

Claim 90 was rejected under 35 U.S.C. § 103(a) as being anticipated by Hamilton (WO 94/07688) in view of Ronden (U.S. Patent No. 3,726,651).

Claim 94 was rejected under 35 U.S.C. § 103(a) as being anticipated by Hamilton (WO 94/07688) in view of Weber (U.S. Patent No. 2,791,802).

At the outset, the Applicant does not acquiesce in the Examiner's rejections based on Hamilton, Ronden, or Weber. Nevertheless, independent Claim 87 has been amended to recite the configuration of the compression conveyer screw of the instant invention.

In particular, the apparatus of Hamilton is configured for merely "conveying waste material through a passage and compacting it therein" (see abstract). Thus, the compacted waste material moves along the shaft in Hamilton and "is compacted as it moves along the path [such that] the density of material passing through the conveyer is relatively low at the beginning of the path and relatively high at the end of the path" (page 1, lines 20-24). The specification notes that the waste material is compacted along the passage, which means that the end of the passage is filled with compacted waste material.

However, the housing and the compression conveyer screw of the instant invention are configured to orient and align the cardboard segments in a circumferentially-disposed manner about a periphery of the compression conveyer screw and to move the cardboard segments forward while the cardboard segments are being disposed horizontally, not to fill the end of the passage with compressed material. The apparatus of Hamilton could not produce the interlocking, horizontally-disposed segments described in the specification of the instant application; Hamilton's apparatus would only compress the cardboard as it compresses all waste material, such that it ends up as a compressed plug at the end of the conveyer. Because the objects of Hamilton apparatus and the apparatus of the instant invention are divergent, one cannot be used to make the products of the other.

Thus, because Hamilton lacks this element of the claims, the rejections under 35 U.S.C. § 102(b) and 103(a) must be withdrawn.

3. Amendments Made Without Prejudice or Estoppel.

Notwithstanding the amendments made and accompanying traversing remarks provided above, Applicants have made these amendments in order to expedite allowance of the currently pending subject matter. However, Applicants do not acquiesce in the original ground for rejection with respect to the original form of these claims. These amendments have been made without any prejudice, waiver, or estoppel, and without forfeiture or dedication to the public, with respect to the original subject matter of the claims as originally filed or in their form immediately preceding these amendments. Applicants reserve the right to pursue the original scope of these claims in the future, such as through continuation practice, for example.

4. Conclusion.

Based on the foregoing, Applicants respectfully request that the various grounds for rejection in the Office Action be reconsidered and withdrawn with respect to the

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presently amended form of the claims, and that a Notice of Allowance be issued for the present application to pass to issuance.

In the event any further matters remain at issue with respect to the present application, Applicants respectfully request that the Examiner please contact the undersigned below at the telephone number indicated in order to discuss such matter prior to the next action on the merits of this application.

Date: April 11, 2007

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'J. P. O'Banion', with a stylized flourish at the end.

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